

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
(NORTHERN DIVISION)

In re: Keith Sean Campbell,

Debtor.

)  
)  
)

Case No. 3:13-bk-33966

Chapter 7

**MOTION OF TRUSTEE FOR PUBLIC SALE OF BANKRUPTCY ESTATE PROPERTY**  
**FREE AND CLEAR OF LIENS & NOTICE OF SALE**

**NOTICE OF HEARING**

Notice is hereby given that:

A hearing will be held on this matter on April 17, 2014, at 9:00 a.m. in Courtroom 1-C, at 800 Market Street, Knoxville, Tennessee 37902.

**If you do not want the court to grant the relief requested, you or your attorney must attend this hearing. If you do not attend the hearing, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.**

Comes the Trustee, W. Grey Steed, through counsel, pursuant to 11 U.S.C. § 363 and Federal Rules of Bankruptcy Procedure 2002 and 6004, and moves the Court for an Order authorizing the Trustee to sell at public auction the debtor's personal property described herein below free and clear of liens, with any applicable liens attaching to the proceeds of sale. In support of his Motion, the Trustee would show unto the Court as follows:

1. The debtor, Keith Sean Campbell, filed a voluntary Chapter 7 case on November 5, 2013. W. Grey Steed was appointed Chapter 7 Trustee and currently serves in that capacity.

2. The debtor has an ownership interest in one (1) 2006 Crownline boat, VIN JTC6442EB606 with Hustler trailer, VIN 4DMB5191370137053 (jointly, the "Boat & Trailer"), the value of which debtor has listed at \$15,000. The Boat & Trailer are subject to a perfected, unavoidable priority lien in favor of First Tennessee Bank National Association ("FTB") in the amount of approximately \$3,600. The Trustee proposes the sale pursuant to 11 U.S.C. § 363(f)(3) as the Trustee expects for the sales proceeds on the Boat & Trailer to exceed \$3,600 such that FTB's lien will be paid in full and to the extent allowed by 11 U.S.C. § 506 out of the proceeds of the sale of the Boat & Trailer.

3. The debtor also has an ownership interest in one (1) 2008 Ducati motorcycle, VIN ZDM1XBGV28B003418 (the "Motorcycle"), the value of which debtor has listed at \$6,000. The Trustee has not been informed of and is unaware of any liens on the Motorcycle.

4. The Trustee proposes to sell the above-described Boat & Trailer and Motorcycle AS-IS with no guarantee of title at public auction on **Saturday, April 19, 2014, at 12:00 p.m. (noon), at Powell Auction and Realty, 6729 Pleasant Ridge Road, Knoxville, Tennessee 37921.**

5. The Trustee proposes that Powell Auction and Realty conduct the auction and that the auctioneer be paid a commission in the amount of a 10% buyers' premium.

6. The Trustee proposes to sell the Boat & Trailer with a reserve price of \$3,600, to ensure that FTB's lien is paid in full.

7. The Trustee further proposes to sell the Motorcycle without reserve.

8. The Trustee is further informed and believes that this sale is in the best interest of the estate and of the creditors of the estate.

9. The Trustee requests that the \$176 filing fee be paid from the sale proceeds.

10. The Trustee requests that the 14 day stay period of Rule 6004(h) of the Federal Rules of Bankruptcy Procedure be waived for cause to allow the sale to take place on April 19, 2014.

WHEREFORE, the Trustee respectfully requests that the Court grant his Motion and approve the sale as set forth herein.

Dated: 3/17/2014

/s/ Kyle A. Baisley  
Kyle A. Baisley, TN BPR#027080  
704 Forest Heights Rd.  
Knoxville, Tennessee 37919  
865-719-7071

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of the foregoing will be served electronically on the entities specified in the Notice of Electronic Filing to be issued by the electronic case filing system. I further certify that the foregoing paper was served by electronic noticing, email, hand delivery or by United States mail with sufficient postage thereon to the following persons:

Beth Roberts Derrick  
Acting Assistant United States Trustee  
Office of the United States Trustee  
31 East 11<sup>th</sup> Street, 4<sup>th</sup> Floor  
Chattanooga, TN 37402  
[Beth.r.derrick@usdoj.gov](mailto:Beth.r.derrick@usdoj.gov)

William E. Maddox Jr.  
William E. Maddox, Jr., LLC  
P.O. Box 31287  
Knoxville, TN 37930-1287  
[wem@billmaddoxlaw.com](mailto:wem@billmaddoxlaw.com)

Gordon D. Foster  
Winchester, Sellers, Foster & Steele, P.C.  
P.O. Box 2428  
Knoxville, TN 37901-2428  
[gfooster@wsfs-law.com](mailto:gfooster@wsfs-law.com)

I also certify that a true and exact copy of the foregoing will be served upon the persons listed below by United States mail with sufficient postage thereon:

(All creditors and parties of interest set out in the Keith Sean Campbell mailing matrix attached)

Date: 3/17/2014

/s/ Kyle A. Baisley  
KYLE A. BAISLEY

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
(NORTHERN DIVISION)**

**In re: Keith Sean Campbell,**

**Debtor.**

)  
)  
)

**Case No. 3:13-bk-33966**

**Chapter 7**

**ORDER APPROVING PUBLIC SALE OF BANKRUPTCY ESTATE PROPERTY  
FREE AND CLEAR OF LIENS**

On or about March 17, 2014, Chapter 7 Trustee, W. Grey Steed, filed a Motion for Public Sale of Bankruptcy Estate Property Free and Clear of Liens and Notice of Sale pursuant to 11 U.S.C. § 363 and Federal Rules of Bankruptcy Procedures 2002 and 6004. In the Motion, the Trustee proposed to sell the debtor's 2006 Crownline boat, VIN JTC6442EB606 with Hustler trailer, VIN 4DMB5191370137053 (jointly, the "Boat & Trailer") and 2008 Ducati motorcycle, VIN ZDM1XBGV28B003418 (the "Motorcycle"). The Motion was served on all creditors and parties in interest and they were provided an opportunity to file written objections. There being no objections filed to the Trustee's Motion, and it otherwise appearing to the Court that the Motion is proper, it is therefore:

**ORDERED** that Trustee's public sale of the Boat & Trailer and Motorcycle on April 19, 2014, at 12:00 p.m. (noon) by Powell Auction Company at Powell Auction and Realty, 6729 Pleasant Ridge Road, Knoxville, Tennessee 37921 is hereby **APPROVED**. It is further **ORDERED** that said sale shall be free and clear of liens with all applicable liens attaching to proceeds of sale. It is further **ORDERED** that



First Tennessee Bank National Association's lien on the Boat & Trailer will be paid out of the sale proceeds on the Boat & Trailer to fullest extent allowed by 11 U.S.C. § 506. It is further **ORDRED** that Powell Auction & Realty be paid a commission in the amount of a 10% buyers' premium. It is further **ORDERED** that the \$176 filing fee may be paid by the Trustee from the proceeds of the sale. It is further **ORDRED** that the 14 day stay period of Bankruptcy Rule 6004(h) is waived for cause and this Order shall be effective immediately upon entry.

###

Approved for Entry:

/s/ Kyle A. Baisley  
Kyle A. Baisley, TN BPR #027080  
704 Forest Heights Rd.  
Knoxville, TN 37919  
[kyle.baisley@gmail.com](mailto:kyle.baisley@gmail.com)  
865-719-7071  
*Attorney for W. Grey Steed, Trustee*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of the foregoing will be served electronically on the entities specified in the Notice of Electronic Filing to be issued by the electronic case filing system. I further certify that the foregoing paper was served by electronic noticing, email, hand delivery or by United States mail with sufficient postage thereon to the following persons:

Beth Roberts Derrick  
Acting Assistant United States Trustee  
Office of the United States Trustee  
31 East 11<sup>th</sup> Street, 4<sup>th</sup> Floor  
Chattanooga, TN 37402  
[Beth.r.derrick@usdoj.gov](mailto:Beth.r.derrick@usdoj.gov)

William E. Maddox Jr.  
William E. Maddox, Jr., LLC  
P.O. Box 31287  
Knoxville, TN 37930-1287  
[wem@billmaddoxlaw.com](mailto:wem@billmaddoxlaw.com)

Gordon D. Foster  
Winchester, Sellers, Foster & Steele, P.C.  
P.O. Box 2428  
Knoxville, TN 37901-2428  
[gfooster@wsfs-law.com](mailto:gfooster@wsfs-law.com)

I also certify that a true and exact copy of the foregoing will be served upon the persons listed below by United States mail with sufficient postage thereon:

(All creditors and parties of interest set out in the Keith Sean Campbell mailing matrix attached)

Date: 3/17/2014

/s/ Kyle A. Baisley  
KYLE A. BAISLEY

Label Matrix for local noticing  
0649-3  
Case 3:13-bk-33966  
Eastern District of Tennessee  
Knoxville  
Mon Mar 17 14:43:34 EDT 2014

First Tennessee National Association  
c/o Gordon D. Foster  
P.O. Box 2428  
Knoxville, TN 37901-2428

3  
United States Bankruptcy Court  
Howard H. Baker Jr. U.S. Courthouse  
Suite 330, 800 Market Street  
Knoxville, TN 37902-2343

Advanta  
PO Box 9217  
Old Bethpage, NY 11804-9017

Advanta Bank Corporation  
Resurgent Capital Services  
PO Box 10368  
Greenville, SC 29603-0368

American Express  
PO Box 981537  
El Paso, TX 79998-1537

American Express Bank FSB  
Becket and Lee LLP  
POB 3001  
Malvern, PA 19355-0701

American Express Centurion Bank  
c/o Becket and Lee LLP  
POB 3001  
Malvern PA 19355-0701

(p)BANK OF AMERICA  
PO BOX 982238  
EL PASO TX 79998-2238

Capital One  
PO Box 30281  
Salt Lake City, UT 84130-0281

Capital One Bank (USA), N.A.  
PO Box 71083  
Charlotte, NC 28272-1083

Capital One Bank (USA), N.A.  
by American InfoSource LP as agent  
PO Box 71083  
Charlotte, NC 28272-1083

Chase  
PO Box 15298  
Wilmington, DE 19850-5298

(p)DISCOVER FINANCIAL SERVICES LLC  
PO BOX 3025  
NEW ALBANY OH 43054-3025

Discover Bank  
DB Servicing Corporation  
PO Box 3025  
New Albany, OH 43054-3025

First Tennessee Bank  
PO Box 15003  
Knoxville, TN 37901-5003

Internal Revenue Service  
Centralized Insolvency Operations  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Internal Revenue Service  
IRS Insolvency  
801 Broadway, MDP 146  
Nashville, TN 37203-3811

Kim Campbell  
3849 Woodhill Place  
Knoxville, TN 37919-6656

Sallie Mae  
PO Box 9500  
Wilkes Barre, PA 18773-9500

Sallie Mae  
c/o Sallie Mae Inc.  
220 Lasley Ave  
Wilkes-Barre, PA 18706-1496

SunTrust Bank  
Attn. Support Services  
P.O. Box 85092  
Richmond, VA 23286-0001

Suntrust  
PO Box 305053  
Nashville, TN 37230-5053

U.S. Dept. of Justice  
Tax Division, CTS, Eastern Reg.  
P.O. Box 227  
Ben Franklin Station  
Washington, D.C 20044-0227

United States Trustee  
800 Market Street, Suite 114  
Howard H. Baker Jr. U.S. Courthouse  
Knoxville, TN 37902-2303

Keith Sean Campbell  
1136 Paxton Drive  
Knoxville, TN 37918-8013

W. Grey Steed  
11167 Kingston Pike, Suite 4  
Knoxville, TN 37934-2857

William E. Maddox Jr.  
William E. Maddox, Jr., LLC  
P. O. Box 31287  
Knoxville, TN 37930-1287

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bank of America  
PO Box 982235  
El Paso, TX 79998

Discover  
PO Box 30943  
Salt Lake City, UT 84130

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)First Tennessee Bank National Association  
c/o Gordon D. Foster  
P.O. Box 2428  
Knoxville, TN 37901-2428

(d)Sallie Mae  
c/o Sallie Mae Inc.  
220 Lasley Ave.  
Wilkes-Barre, PA 18706-1496

(u)James Kenneth Phillips  
Powell Auction and Realty

End of Label Matrix	
Mailable recipients	27
Bypassed recipients	3
Total	30